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IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

MONEX FINANCIAL SERVICES LTD., *et ano*,

Plaintiffs,

-against-

NOVA INFORMATION SYSTEMS, INC.,

Defendant.

07 Civ. 5837 (WHP)

JOINT REPORT OF CONFERENCE PURSUANT TO FED. R. CIV. P. 26(f)

The parties, having conferred through their undersigned counsel on September 13, 2007 pursuant to Fed. R. Civ. P. 26(f), make the following joint report to the Court:

1. Initial Disclosures: The parties have agreed to waive the exchange of the Rule 26(a)(1) initial disclosures.

2. Discovery Plan: The parties propose the following plan for discovery:

ACTION TO BE TAKEN	PROPOSED DATE
Last date to amend pleadings:	October 30, 2007

Fact discovery closes:	July 31, 2008
Parties exchange expert reports:	September 15, 2008
All discovery closes:	October 30, 2008

In connection with the proposed discovery plan, a related case captioned *Planet Payment, Inc. v. Nova Information Systems, Inc.*, 07 Civil Action No. 07CV2520 (CBA)(RML), is pending in the Eastern District of New York. Certain of the issues in both cases overlap, and the potential witnesses in both cases likely will include many of the same individuals. The parties in both cases are represented by the same counsel, and NOVA Information Systems, Inc., filed its Answers in both cases on the same day. The proposed deadlines for the present case are the same as those being proposed in *Planet Payment*.

Because of certain corporate transactions involving companies related to the events involved in these actions,, the parties expect that there will be relatively few party depositions, and that the majority of the depositions are likely to involve third party witnesses in various states including Colorado, Florida, Georgia and New York. The parties further believe that the large number of issues in both lawsuits and witnesses located throughout the country will require a longer-than-usual discovery period, and have agreed to coordinate discovery in both cases in an effort to aid the efficient completion of discovery. The parties also have agreed to depose overlapping witnesses in both cases only one time.

3. Changes to Discovery Limitations: The parties do not currently expect to need more interrogatories or depositions than are permitted under the Federal Rules of Civil Procedure. In addition, the parties have stipulated that draft expert reports and communications between experts and retaining counsel are generally not discoverable.

4. Any Other Orders: The parties expect to submit to the Court a Stipulated Protective Order and stipulation regarding the coordination of discovery in *Planet Payment, Inc. v. Nova Information Systems, Inc.*, 07 Civ. 2520 (CBA) (RML) pending in the Eastern District of New York.

Dated: September 26, 2007

_____/s/
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